

Ser. No.10/535,116  
Amdt. dated May 1, 2008  
Reply to Office Action of February 22, 2008

PU020461

**Remarks/Arguments**

**35 U.S.C. §103**

Claims 1-8, 10-19, and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kendall (U.S. Pub. No. 2006/0156332 A1), in view of Ganzer et al. (U.S. Patent No. 5,121,430), hereinafter referred to as Kendall and Ganzer.

Applicant first respectfully notes that Examiner does not appear to have provided grounds for rejection of claims 9 or 22-27. The Office Action Summary, however, indicates rejection of claims 1-29, though the present application contains 27 claims. Applicant will traverse as though the rejection above was intended for claims 1-27.

The present invention, as recited by the amended claim 1, describes an apparatus having an emergency alert function, comprising: tuning means for tuning signals including emergency alert signals capable of activating said emergency alert function; interface means for disabling an audio output device associated with said apparatus; and processing means for enabling said audio output device associated with said apparatus responsive to activation of said emergency alert function if said audio output device has been disabled via said interface means.

It is respectfully asserted that Kendall and Ganzer fail to disclose "processing means for enabling [an] audio output device associated with said apparatus responsive to activation of said emergency alert function if said audio output device has been disabled via said interface means," as described in currently amended claim 1.

Kendall teaches a system where "a television signal receiver receives and stores updated information associated with an emergency alert function, such as geographical area information and/or transmission frequency information. According to an exemplary embodiment, the television signal receiver includes a tuner operative to tune a frequency including emergency alert signals indicating an emergency event, and a memory operative to receive and store updated information associated with the emergency alert function." (Kendall Abstract)

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The Office Action asserts that Kendall "discloses an apparatus and method having an emergency alert function (Emergency Alert Function (305) in figure 3), comprising: tuning means for tuning signals including emergency alert signals associated with said emergency alert function (Tuner (22) in figure 2); and processing means for enabling a disabled user setting for an auxiliary information display function of said apparatus responsive to said emergency alert signals.

The Office Action admits that Kendall "fails to disclose the use of enabling a disabled apparatus." (Office Action, page 2) Furthermore, while Kendall describes providing the ability to enable or disable the emergency alert function (see Kendall paragraph 0026), it does not describe providing an interface for enabling or disabling an audio output device that can then be re-enabled by the emergency alert function. Therefore, Kendall fails to disclose "processing means for enabling [an] audio output device associated with said apparatus responsive to activation of said emergency alert function if said audio output device has been disabled via said interface means," as described in currently amended claim 1.

Ganzer teaches "a geographically specific emergency alert system includes a code generator unit in which geographic areas to be alerted and types of severity of alerts are selected and code strings generated to represent the affected areas and alert types selected. The code strings are broadcast by modulating the audio carrier of a television signal and received on receiver units positioned in areas within the broadcast market of a television station providing the alerting service. Location codes or entered into the receiver units by the users according to the areas in which the receiver units are used. When an alert is broadcast, each receiver unit decodes a location code string in the signal. If it matches that set on the receiver, an alert code string is decoded to activate a alarm devices connected to the receiver, such as an audible alarm generator, LED, etc., in accordance with the type or severity of alert that was broadcast." (Ganzer Abstract)

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The Office Action asserts that Ganzer discloses (column 11 lines 3-11) the slave unit (85) may output control signals to control the functioning of accessory devices (96) in response to an emergency." (Office Action, page 3)

The cited portion of Ganzer states, "Similarly, the slave unit 85 may output control signals to control the functioning of accessory devices 96 in response to an emergency, such as to turn 5 on selected lights, release or lock selected windows and doors, turn off selected operating machinery, or the like. The interface 66 may be provided on the main receiver unit 3 to cooperate with accessory devices in a similar manner without the use of a slave unit 85, such 10 as in a smaller dwelling." (Ganzer, column 11, lines 3-11) Ganzer does not describe, in this portion or elsewhere, control of disablement of an audio device via an interface or re-enablement of such a device by an emergency alert function.

Therefore, Ganzer, like Kendall fails to disclose "processing means for enabling [an] audio output device associated with said apparatus responsive to activation of said emergency alert function if said audio output device has been disabled via said interface means," as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted there is no 35 USC 112 enabling disclosure provided by Kendall or Ganzer, alone or in combination, that makes the present invention as claimed in claim 1 unpatentable. It is further submitted that currently amended independent claims 10 and 19 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-9, 11-18, and 20-27 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance.

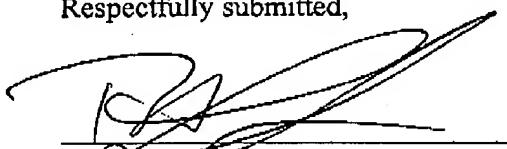
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Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

  
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